

## SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

This Second Amendment to the Agreement for Professional Legal Services (AGREEMENT) between the County of Santa Barbara ("COUNTY") and Andruess/ Podberesky ("CONTRACTOR"), wherein CONTRACTOR agrees to provide and COUNTY agrees to accept the services specified herein.

**WHEREAS**, COUNTY continues to require the services of legal counsel to assist in providing legal advice and representation in the specialized area of False Claims Act litigation; and

**WHEREAS**, under Section 25203 of the California Government Code, COUNTY's Board of Supervisors may employ counsel to assist in the conduct of litigation in which COUNTY is a party; and

**WHEREAS**, Paragraph 26 of the AGREEMENT states the AGREEMENT may be altered, amended or modified by an instrument in writing, executed by the Parties; and

**WHEREAS**, the AGREEMENT was amended on October 15, 2019 to increase the maximum contract amount; and

**WHEREAS**, CONTRACTOR has been providing services to COUNTY under the AGREEMENT initially executed on April 18, 2018 as amended and for fair and reasonable consideration, this Second Amendment to the AGREEMENT revives the initial AGREEMENT as amended to compensate CONTRACTOR for services rendered between April 17, 2020 through November 30, 2020; and

**WHEREAS**, COUNTY wishes to extend the term of the AGREEMENT to April 17, 2022 through this Second Amendment and to increase the maximum contract amount by Three Hundred and Fifty Thousand dollars (\$350,000).

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

The Parties agree to amend the AGREEMENT as follows:

Section 2 – Notices is revised to state:

To COUNTY:                    Michael C. Ghizzoni  
County Counsel  
Office of Santa Barbara County Counsel  
105 East Anapamu Street, #201  
Santa Barbara, CA 93101  
Fax (805) 568-2982

To CONTRACTOR:            Mary Carter Andruess, Attorney at Law  
Andruess/Podberesky  
818 West 7<sup>th</sup> Street, #960  
Los Angeles, CA 90017  
Fax (213) 395-0401

Section 4 – Term is revised to state:

*CONTRACTOR shall commence performance on April 18, 2018 and end performance upon completion, but no later than April 17, 2022 unless otherwise directed by COUNTY or unless earlier terminated.*

Exhibit B, Paragraph A is revised to state:

*For CONTRACTOR services to be rendered under this Agreement, CONTRACTOR shall be paid a total contract amount, including cost reimbursements, not to exceed Eight Hundred and Fifty Thousand dollars (\$850,000).*

In all other respects, the AGREEMENT remains unchanged and in full effect.

[Signatures on next page.]

**SIGNATURE PAGE**

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date executed by COUNTY.

**ATTEST:**

Mona Miyasato  
County Executive Officer  
Clerk of the Board

By: Sheila da Guerra  
Deputy Clerk

**COUNTY OF SANTA BARBARA:**

By: [Signature]  
Chair, Board of Supervisors

Date: 12-15-20

**RECOMMENDED FOR APPROVAL AND APPROVED AS TO FORM:**

County Counsel

By: [Signature]  
Michael C. Ghizzoni, County Counsel

**CONTRACTOR:**

Andrues/Podberesky

By: [Signature]  
Authorized Representative

Name: Mary Carter Andrues  
Title: Attorney at Law

**APPROVED AS TO FORM:**

Risk Management

By: \_\_\_\_\_  
Ray Aromatorio, Risk Manager

**APPROVED AS TO ACCOUNTING FORM:**

BETSY SCHAFFER, CPA  
Auditor-Controller

By: \_\_\_\_\_  
Deputy

**SIGNATURE PAGE**

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date executed by COUNTY.

**ATTEST:**

Mona Miyasato  
County Executive Officer  
Clerk of the Board

**COUNTY OF SANTA BARBARA:**

By: \_\_\_\_\_  
Deputy Clerk

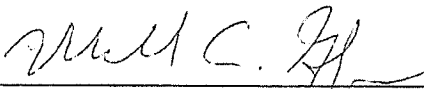
By: \_\_\_\_\_  
Chair, Board of Supervisors

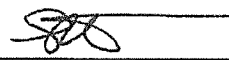
Date: \_\_\_\_\_

**RECOMMENDED FOR APPROVAL AND  
APPROVED AS TO FORM:**  
County Counsel

**CONTRACTOR:**

Andrues/Podberesky

By:   
\_\_\_\_\_  
Michael C. Ghizzoni, County Counsel

By:   
\_\_\_\_\_  
Authorized Representative


Name: Mary Carter Andrues  
Title: Attorney at Law


**APPROVED AS TO FORM:**

Risk Management

**APPROVED AS TO ACCOUNTING  
FORM:**

BETSY SCHAFFER, CPA  
Auditor-Controller

By:   
\_\_\_\_\_  
Ray Aromatorio, Risk Manager

By:   
\_\_\_\_\_  
Deputy